

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ECF Case

----- X

ADRIAN HUFF, as Chairman of the Board of Trustees of
TEAMSTERS LOCAL 445 FREIGHT DIVISION
PENSION FUND and TEAMSTERS LOCAL 445
EDUCATION and TRAINING FUND,

Civil Action No. 07 Civ. 6033
(KMK)(MDF)

Plaintiff,

- against -

WATSON SERVICES, INC.,

Defendant.

**NOTICE OF PLAINTIFF'S
MOTION FOR SUMMARY
JUDGMENT**

----- X

PLEASE TAKE NOTICE, that upon the attached Declaration of William D. Frumkin, Esq., with exhibits thereto, Plaintiff's Memorandum of Law, Plaintiff's Rule 56.1 Statement, and the pleadings and proceedings in this action, Plaintiff will move before the Hon. Kenneth M. Karas, United States District Judge, in the United States Courthouse, Courtroom 434, located at 300 Quarropas St., White Plains, New York 10601, for summary judgment granting the Complaint in its entirety and granting such other relief as the Court deems just, proper, and equitable.

Dated: White Plains, New York
March 11, 2008

Respectfully submitted,
SAPIR & FRUMKIN LLP

By: /s/ William D. Frumkin
William D. Frumkin (WF2173)
William F. Cusack III (WC2497)
Attorneys for Plaintiff
399 Knollwood Road, Suite 310
White Plains, New York 10603
(914) 328-0366

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
COUNTY OF WESTCHESTER)ss.:

RACHEL L. HORTON, being duly sworn, deposes and states as follows:

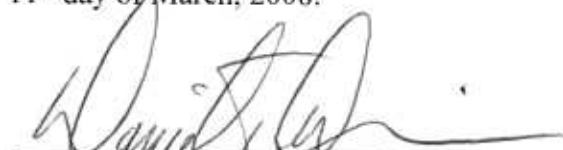
That deponent is not a party to this action, is over 18 years of age and resides at Hopewell Junction, New York. On the 11th day of March, 2008, your deponent served the within NOTICE OF PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT upon:

Seth H. Borden, Esq.
Kreitzman Mortensen, & Borden
100 Wall Street, 23rd Floor
New York, New York 10005

the address designated by said attorney for that purpose, by depositing a true copy of same enclosed in a post-paid wrapper, by UPS Next Day Air.


Rachel L. Horton

Sworn to before me this
11th day of March, 2008.


Notary Public

DANIEL T. DRIESEN
Notary Public State of New York
No. 02DR6091375
Qualified in Westchester County
Commission Expires April 28, 2011